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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/679,041

10/03/2003

Robert A. Kennedy

SPL-44

1663

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7590

12/16/2005

SQUARE D COMPANY
LEGAL DEPARTMENT IP SECTION
1415 SOUTH ROSELLE ROAD
PALATINE, IL 60067

EXAMINER

CHANG, YEAN HSI

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/679,041

Applicant(s)

KENNEDY ET AL.

Examiner

Yean-Hsi Chang

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilas et al. (US 5,233,511) in view of PowerLogic Circuit Monitor-Series 2000 (Class 3020, Square D/Schneider Electric Product Literature, 6 pages, dated 1999).

Bilas teaches an electrical equipment enclosure (fig. 1b) comprising: an electrical enclosure (10), networked power monitoring equipment (32) mounted in said electrical enclosure, and a communications port (38) mounted to said enclosure and accessible externally from said enclosure (shown in fig. 3) and operatively coupled with said networked power monitoring equipment (shown in fig. 2) requiring a local communications connection (40 and 41, fig. 2) for connecting said networked power monitoring equipment with equipment outside of said enclosure (see also col. 3, line 49 through col. 4, line 68) (claim 1); wherein said enclosure is a power distribution enclosure (see fig. 1a) (claim 2); wherein said enclosure is a motor control center (each circuit breaker comprising a motor being controlled) (claim 3); wherein said enclosure is a circuit breaker panel enclosure (20,s being circuit breakers) (claim 4); wherein said

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enclosure is an electrical switchgear cabinet (20's being electrical switches with related mechanisms) (claim 5); wherein said enclosure is an electrical unit substation (see fig. 7) (claim 6); wherein said enclosure is an electrical distribution switchboard (see fig. 1b) (claim 7); an Ethernet hub (38) providing a plurality of Ethernet connection ports (40 and 41) mounted inside of said enclosure and operatively connected with said local communications port (on board 31) mounted to said enclosure and with said power monitoring equipment (fig. 5a) (claim 8); wherein said enclosure has an accessible front surface (shown in fig. 3), and wherein said network port is mounted to and accessible at said front surface (shown in fig. 3) (claim 9); wherein said communications port is a low-power wireless port (see col. 4, lines 4-7) (claim 11); and a method of providing a local communications connection being disclosed in the specification (claims 12-13 and 15).

Bilas fails to teach the wireless port 41 being mounted to the enclosure and being an infrared port (claims 1 10, 12 and 14).

PowerLogic Circuit Monitor-Series 2000 teaches a wireless communications port being an optical communications port and being built into the front panel as listed on page 1 and stated in section Optical Communications Interface on page 5.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Bilas with the communications port taught by PowerLogic Circuit Monitor-Series 2000 for engineers to retrieve data directly from the front panel, since both the electronic equipment taught by Bilas and the PowerLogic Circuit Monitor-Series 2000 are for power system monitoring.

Response to Arguments

3. Applicant's arguments with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
December 12, 2005



YEAN-HSI CHANG
PRIMARY EXAMINER